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PRESERVATION

**HISTORIC PRESERVATION
COMMISSION**

Greg Bunce, Alternate
Mike Deskin
Elias Esquer
Bob Gasser, Chair
Ann Patterson
Stuart Siefer, RA
Liz Wilson, Vice-Chair

♦ ♦ ♦

**HISTORIC PRESERVATION
OFFICER**

Joe Nucci, RA



The City of Tempe is a
Certified Local Government,
in association with the United
States Department of the
Interior/National Park Service



Tempe Historic
Preservation Office
Community Development
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Tempe Historic Preservation Commission (Tempe HPC)

MEETING MINUTES

Meeting Date: Thursday, May 11, 2006

Location: Hatton Hall
34 East Seventh Street

Commissioners Present: Mike Deskin
Bob Gasser
Ann Patterson
Stu Siefer
Liz Wilson

Staff Present: Amy Douglass, THM Administrator
Joe Nucci, CDD Historic Preservation Officer
Cliff Mattice, Deputy City Attorney

Public Present: Chris Higgins 85282
Vic Linoff THMAB
Pamela Rector 85283
Diane Schmidt 85281
Mike Schmidt 85281
Margaret Strength 85281
Randy Strength 85281
Victoria Vargas ACS
Mary Virzuela 85281

Call to Order: 6:00 pm, Bob Gasser, Chair

I. Call to Audience

Chairman Gasser acknowledged public in attendance and made a call to the audience. Diane Schmidt, Mike Schmidt, Margaret Strength, Randy Strength, and Mary Virzuela, residents of the Roosevelt Addition, each spoke in support of the historic property designation proposed for the Roosevelt Addition Historic District.

II. Approval of Minutes

Chairman Gasser called for discussion of the minutes of the Tempe HPC meeting of April 13, 2006, and thanked Vice-Chair Liz Wilson for chairing the meeting, no discussion.

MOTION MADE BY COMMISSIONER PATTERSON AND SECONDED BY COMMISSIONER DESKIN TO APPROVE MINUTES OF THE APRIL 13, 2006, TEMPE HPC MEETING. MOTION CARRIED 4-0 WITH CHAIRMAN GASSER ABSTAINING AS HE WAS NOT PRESENT AT THE APRIL MEETING.

III. Roosevelt Addition Historic District Section 6-402 Neighborhood Meeting

Chairman Gasser opened a Neighborhood Meeting for historic property designation of the Roosevelt Addition Historic District, located in the 600 block of West Third St in Tempe. HPO Nucci recommended listing the property.

Commissioner Siefer stated that, as a general principle, the Commission believes that only exceptional neighborhoods should be designated historic. He asked Staff to compare the Roosevelt Addition to other candidates.

Nucci stated that the Roosevelt Addition is one of seven first-tier subdivisions that the Commission has already accepted as eligible for historic designation. It was the first subdivision in Tempe developed according to FHA design standards. Begun as a small business enterprise, the property was quickly acquired by a Phoenix realtor and largely built out by a Phoenix construction company between 1945 and 1950. It is a small (less than 25 units) subdivision according to National Association of Home Builders classification. It receives flood irrigation and continues to maintain its historic context, although it would does not qualify under Criteria B since it has no association with significant persons.

Roosevelt Addition residents Diane Schmidt, Mike Schmidt, Margaret Strength, Randy Strength, and Mary Virzuela each spoke in support of historic property designation.

Siefer asked the neighbors what effect historic designation would have on the neighborhood. Diane Schmidt replied that owner occupants already take pride in their properties; however, roughly half the properties are rentals. She hopes that, over time, district designation will increase owner-occupancy and enhance maintenance. Schmidt noted that the Roosevelt Addition seems to be an oasis in the midst of high-density redevelopment. He would welcome designation as an aid to maintaining the neighborhood's character.

Gasser asked the neighbors if they are interested in National Register listing. All indicated they want to protect the character of the neighborhood and are open to all opportunities to do so, including National listing.

Gasser stated that the Neighborhood Meeting for discussion of historic property designation for the Roosevelt Addition Historic District was now concluded. Additional public hearings are scheduled for June 8 at 6 p.m. at Tempe Historic Preservation Commission, June 27 at 7 p.m. at Planning & Zoning Commission, and, July 20 and August 3 at 7:30 p.m. at City Council.

IV. Loma Del Rio Historic Designation Section 6-402 Neighborhood Meeting

Chairman Gasser opened a Neighborhood Meeting for historic property designation of the Loma del Rio Archaeological Site, located at 715 North Mill Avenue in Tempe.

HPO Nucci stated that an application for historic designation of the Loma del Rio Archaeological Site was submitted by the owner, the THM Administrator. He found the application to be complete and recommended that the Tempe Historic Preservation Commission hold a public hearing on June 8 to consider the application.

He said the site was fully excavated from 1984 to 1985 and suggested it should be recognized in its context of uniquely converging ecosystems and that the parcel based designation of Assessor's Parcel Number 132-04-002E (a 72 acre parcel) including samples of the upper bajada, the wash/floodplains, and the creosote plains ecosystems, along with the habitation locus and terrace garden network at AZ U:9:24 (ASU) would serve this purpose.

Douglass stated a case could be made for National Register Criteria B eligibility (associated with the lives of significant persons) because the site was explored by several noted southwestern archaeologists, including Frank Hamilton Cushing in 1887.

Gasser stated that it may also qualify under National Register Criteria C, which embodies the distinctive characteristics of a type, period, or method of construction, because of the Hohokam use of river cobble construction. Nucci indicated that this fact is interpreted at the site but is no longer apparent in the actual ruin since it has been covered over for protection.

Gasser noted that site boundaries of the proposed site are not well defined in the application and that it is unclear if the intent is to designate only the site or the entire parcel which, in this case, is 72 acres. He also said the staff report is not clear if this site has yielded or may be likely to yield, information important in history or prehistory. He asked that both issues be cleared up before a presentation is made to Planning & Zoning.

Commissioner Patterson made a motion to continue. The motion was not seconded.
[revised per Gasser 06.08.06]

The Neighborhood meeting was then concluded.

V. Presentation – Update on Hayden Flour Mill archaeological activities

Chairman Gasser introduced Victoria Vargas with Archaeological Consulting Services to provide an update on archaeological activities associated with the Hayden Flour Mill Archaeology Project.

Ms. Vargas explained ACS is starting with intensive archival research, architectural investigations, and archaeological testing at the Hayden Flour Mill site. One product of this work will be an historic preservation plan to inform future development on the site. The mill itself is National Register eligible; however, the silos and the archaeological remains have not been officially evaluated.

Vargas explained that ACS is tying its approach to the theme of landscape, time, and community. She said the project includes significant public outreach and has an educational component including presentations at the Tempe Historical Museum, Tempe grammar schools, the media and an ongoing display at Monti's La Casa Vieja. Perimeter fence signage will inform the community that the mill will not be torn down and that this is a preservation project.

VI. City Attorney Consultation – Open Meetings + Ordinance Review & Revision

Chairman Gasser introduced Deputy City Attorney Cliff Mattice who advised members on Arizona's Open Meeting Law. Gasser noted that on February 17 the Commission held a special meeting to discuss the roles of the commission and staff, and the Tempe Historic Preservation Ordinance. Gasser said that minutes of the meeting were incomplete and he e-mailed the Commission identifying omissions. The City Clerk responded that members cannot use e-mail to circumvent Arizona's Open Meeting Law requirements.

Mattice indicated Gasser could correct meeting minutes by email. [revised per Gasser 06.08.06]

Mattice said that the Arizona Open Meeting Law applies to electronic communication as well as when a quorum of commissioners reasonably may be anticipated to occur outside of normal meeting settings. In both cases a notice must be posted by the City Clerk even if no agenda is prepared. He said the prime objective is to make sure commission business is conducted with full public access.

The consequences of failing to comply with Arizona Open Meeting Law requirements include removal from the Commission, voiding a Commission action, or making members liable for the cost of their defense in legal proceedings.

Gasser asked how to schedule or reschedule meetings. Mattice suggested the prudent method would be to go through staff. Gasser asked how to proceed if the HPO is unavailable. Nucci suggested that City Architect Mark Vinson, Tempe Historical Museum Administrator Amy Douglass, or Community Development Manager Chris Salomon could be contacted in the HPO's absence.

Mattice indicated that agendas must be posted 24 hours prior to the meeting time by the City Clerk, stating who will meet, where and when the meeting will take place, and what will be discussed. It is not required that minutes be posted.

VII. Discuss & Consider – Changes to the Tempe Historic Preservation Ordinance

Gasser stated he would like to see the Commission review districts for which applications have been submitted prior to holding a neighborhood meeting at HPC. Commissioner Wilson supported this idea but recommended against changing the ordinance for this purpose. Currently the Tempe Historic Preservation Ordinance states the HPO shall place designation requests on the next available agenda of the commission for a public hearing.

Nucci asked if HPC were interested in streamlining the designation process which has grown to five required meetings or hearings and takes 120 days.

Gasser stated he would also like to see the ordinance revised to include a proximity clause, referred to as Area of Potential Effect. Mattice noted that when the Commission seeks authority beyond its jurisdictional boundaries, as in the case of non-designated properties near historic sites, HPC action most likely would be advisory only.

To change the ordinance, Mattice suggested attending a Council Issue Review Session item where either Staff or Staff and the Commission could get a sense of what changes Council would approve. If Council wishes changes, the City Attorney Staff would assist in preparing specific language for revisions.

There was consensus for members to prepare recommendations for ordinance changes for consideration at the June 8 HPC meeting.

VIII. Discuss & Consider – Designation Eligibility Criteria & Process

Chairman Gasser asked members to review designation eligibility criteria and processes for evaluating the significance of candidate districts for discussion at the June meeting. He noted that current ordinance language, even with a SHPO interpretation, is not clear. He suggested that properties listed locally be limited to National Register eligible properties and landmarks.

Douglass suggested holding separate meetings for public hearings.

Siefer suggested that based on a discussion of criteria, the local register may end with fewer properties listed. Douglass replied that applicants will continue to have the right to bring nominations and to be heard at HPC, whether the nominations are approved or denied based on revised eligibility criteria.

Commissioner Patterson requested that the Commission tour the 1948~1955 Hudson Manor subdivision. Commissioner Wilson said that because Hudson Manor is comprised of multiple plats, the Commission should break the subdivision into two or more tours.

There was consensus to tour part of the Hudson Manor subdivision on Saturday, June 3, at 9 a.m. Meet at Hudson Park 1430 S. Cedar Street.

Chairman Gasser requested that the June agenda be limited to the following: 1) Roosevelt Addition Historic District public hearing for historic designation, 2) Revisions to the Tempe Historic Property Register, 3) Review of designation eligibility criteria & process.

The meeting adjourned at 8:25 PM.

Minutes scheduled for Tempe HPC approval on 06/08/2006.

Bob Gasser, Chair



Rdevpub/HistoricPreservation/HPCmins051106PROCEEDINGS.doc

Meeting minutes are produced from a transcript of proceedings. The transcript of proceedings and the minutes are available on request from Tempe HPO.

HPCmins051106.doc filed City Clerk 06/09/06 Krossschell, Connie; Fillmore, Karen; Stennerson, Julie & posted to www.tempe.gov/historicpres

Draft issued for review comments to:	Review comments received from:
<input checked="" type="checkbox"/> Cliff Mattice, Deputy Tempe City Attorney	<input type="checkbox"/>
<input checked="" type="checkbox"/> Victoria Vargas, Archaeological Consulting Services	<input type="checkbox"/>

Frequently Used Abbreviations or Acronyms:

CDD – City of Tempe Community Development Department: Established February 15, 2005, by City Manager Will Manley the CDD consists of six divisions; Economic Development, Housing Services, Redevelopment, Neighborhood Enhancement, Rio Salado/Town Lake, and Special Projects. The Tempe Historic Preservation Office is an agency of the Development Services Department.

CLG – Certified Local Government: In 1980, Congress established a framework for local preservation programs through an amendment to the National Historic Preservation Act empowering Arizona cities and counties to become Certified Local Governments (CLGs). Once certified, these entities are eligible for specialized assistance and funds for developing their own local preservation programs. The City of Tempe became a CLG in 1995.

HPAC – Historic Preservation Advisory Committee: Arizona State Parks is governed by the State Parks Board and receives direction and oversight from several advisory committees and groups such as the Historic Preservation Advisory Committee, also known as HPAC.

IEBC – International Existing Building Code adopted by Tempe City Council by Ordinance No. 2005.89 on December 1, 2005, as part of the code body promulgated by the International Code Council, provides means for preservation of existing Tempe building inventory through reasonable and feasible code processes.

IRS – Issue Review Session: Mayor and Council public meeting where members of the public may come forward and talk with City Council during the “Call to the Audience” at the beginning of the IRS.

SHPO – State Historic Preservation Office: a division of Arizona State Parks, is responsible for the identification, evaluation, and protection of Arizona's prehistoric and historic cultural resources.

SRP-MIC – Salt River Pima-Maricopa Indian Community: Created by Executive Order on June 14, 1879 by President Rutherford B. Hayes, the Salt River Pima-Maricopa Indian Community (SRPMIC) is located in Maricopa County, aside the boundaries of Mesa, Tempe, Scottsdale, Fountain Hills and metropolitan Phoenix.

Tempe HPC – Tempe Historic Preservation Commission: Created by Ordinance 95.35, adopted November 9, 1995. Members serve three year terms with the exception of the initial appointments. Meetings are held first Thursday of each month and are located at Hatton Hall, 34 E. 7th Street, Bldg. #B (public parking in Brickyard).

Tempe HPF – Tempe Historic Preservation Foundation: A private nonprofit corporation established in 2005, Mission Statement 02.02.06 “The Tempe HPF advocates preserving Tempe’s at risk historic properties and supporting worthy preservation projects through education, community participation, and fundraising.”

Tempe HPO – Tempe Historic Preservation Office: Responsible for the identification and conservation of Tempe’s prehistoric and historic cultural resources, the Office uses Federal, state, and city funding for the historic preservation program and assists owners of historic properties with grant applications, property maintenance, and preservation activities.

THM – Tempe Historical Museum: Located at 809 E. Southern Avenue in Tempe, the Tempe Historical Museum is a center where the community comes together to celebrate Tempe's past and ponder the future. Permanent and changing exhibits, educational programs, and research projects generally focus on some aspect of Tempe's history within the context of state and national events.

TOD – Tempe Transportation Overlay District (in production) The purpose of the TOD is to encourage appropriate land development and redevelopment consistent with and complementary to the community’s focused investment in transit, bicycle, and pedestrian infrastructure in certain geographic areas of the City.

ZDC – Zoning & Development Code: Adopted by Mayor and Council on January 20, 2005, effective February 22, 2005, the ZDC implements Tempe General Plan 2030 by encouraging creative development of the built environment in order to build a community that promotes the livability and uniqueness of Tempe.